

REMARKS

This application has been amended so as to place it in condition for allowance at the time of the next Official Action.

The Official Action requires a new title. Accordingly, the title is amended to "SYSTEM FOR CONTACT SERVICES UTILIZING A LOCAL CONTACT SERVER AND CONTACT DEVICES."

Claims 1, 2, and 4-13 are rejected under 35 USC 102(e) as being anticipated by EVANS et al. 6,690,918.

Applicant has amended independent claim 1 to include, *inter alia*, the features of claim 3. As claim 3 is not included in the present amendment, claim 1 so amended, and by extension each that depends therefrom, overcomes this anticipation rejection. Reconsideration and withdrawal of this rejection are therefore respectfully requested.

Claim 3 is rejected under 35 USC 103(a) as being unpatentable over EVANS et al. in view of BOYD 2002/0194049. Reconsideration and withdrawal of this rejection are respectfully requested for the following reasons:

As to claim 1, there are at least two significant differences between the contact devices used in EVANS' system and the contact devices used in the applicant's system.

The first is that a user can personally adjust the matching percent. This feature is clearly unsuggested by either the EVANS' system or that of BOYD. The applied EVANS patent describes in column 8, lines 37-38 "applying flexible threshold

criteria set by users for defining and accepting a match". However, EVANS' patent fails to teach that each user can define his/her personal matching percent through his/her contact device. This feature of the present invention is clearly disclosed at least on page 5, lines 10-17.

The second difference between the contact devices is that in EVANS' system a contact device always initiates a communication to another device when there is a match of profiles. This is clear from at least independent claims 1 and 10 of the EVANS patent. In the applicant's system it is important that a contact device signals an alarm when the compared profiles match. After that it is possible that a user of the contact device takes the additional step of actually initiating communicating, such as via a phone call. Thus, the point of view is different in these two different systems. In the applicant's system a contact device signals an alarm due to the match, whereas in EVANS' system a contact device initiates a connection itself.

As originally recited in claim 9, and now included in amended claim 1, the present invention includes and defines a contact server, the likes of which is neither taught nor suggested by either of the applied references. In the applicant's system the contact server is able to send profiles and other information to the contact devices via a wireless LAN, e.g. Bluetooth. The contact server itself includes a powerful

transmitter. In this way, the contact server may be thought of as "a slave transmitter" of the contact devices, because it can operate on a relatively large area (Figure 3).

In EVANS' system a server identified as "a communications server" is located quite outside of a wireless LAN, not inside the wireless LAN itself. Therefore the contact server of original claim 9 and current claim 1 cannot be replaced by any of the communications servers 37, 49, 27, 29 shown in EVANS' patent (Figure 1). Each of the servers 37, 49, 27, 29 is missing a receiver and a transmitter for communicating with the contact devices (33, 42, 45) via the wireless LAN 9.

As to claim 10, the contact server of the recited system is adapted to inform two persons where and when they could meet each other. We may even think that the contact server makes the date for the persons (page 6, lines 4-12). In EVANS' system the information (col. 7, lines 13-16) differs from the above-mentioned date information that can be received in the contact device.

As to claim 11, a profile mediator is the last main difference between EVANS' system and the applicant's system. The profile mediator defined as having a receiver allowing it to receive profiles from the contact devices. It cannot be replaced in any of the servers described in the EVANS patent, because those servers are, for example, missing a receiver that is intended for communication in a wireless LAN.

For at least these reasons, applicant respectfully suggests that the present rejections cannot reasonably be maintained.

In addition to the amendments described above, applicant has added new independent claim 14. This claim is directed to a system, as are the original claims. Claim 14 additionally specifically recites that an entirety of the contact server is physically located within an area that allows for direct bi-directional communication between the contact server and the contact devices via the transmitter and the receiver included the contact server and each of the contact devices. This is readily evident from the entirety of the present disclosure, including the originally filed Figures 2 and 3.

The applied EVANS reference teaches quite a different overall arrangement of devices. As is clear from Figure 1 of EVANS et al., the match server 29 is specifically identified as being remote from the devices 33 and 43. Moreover, the match server 29 is able to communicate with either of devices 33 and 43 only by way of traffic across the internet backbone 23, internet access lines 37 and 41, and an additional wireless or cellular network.

In the present invention, the communication is direct between the contact server and the contact devices, quite in contrast to the arrangement of EVANS et al.

In light of the amendments described above and the arguments offered in support thereof, applicant believes that the present application is in condition for allowance, and an early indication of the same is respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON



Eric Jensen, Reg. No. 37,855
745 South 23rd Street
Arlington, VA 22202
Telephone (703) 521-2297
Telefax (703) 685-0573
(703) 979-4709

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